

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ADAMS OUTDOOR ADVERTISING
LIMITED PARTNERSHIP,
Plaintiff,

v.

PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION;¹ and
LESLIE S. RICHARDS,
Defendants.

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No. 5:17-cv-01253

ORDER

AND NOW, this 9th day of February, 2018, upon consideration of the pending Motion to Dismiss and for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:** the Motion to Dismiss, ECF No. 15, is granted in part and denied in part as follows:

1. The Motion to Dismiss is denied as to Adams's First Amendment claims.
2. Adams's vagueness challenge regarding the 500-foot spacing requirement in the Interchange Prohibition is dismissed with prejudice.
3. Adams's facial substantive due process challenge is dismissed with prejudice.
4. Adams's as-applied substantive due process challenge is dismissed without prejudice as premature.
5. Adams's equal protection claim is dismissed without prejudice as premature.
6. Richards's request to transfer venue is denied.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Court

¹ The Pennsylvania Department of Transportation was terminated as a Defendant on August 4, 2017.